

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

**KERRY HODGE, et al.,**

**Plaintiffs,**

**v.**

**AHS MANAGEMENT COMPANY,  
INC.,**

**Defendant.**

**No. 3:23-cv-01308**

**ORDER**

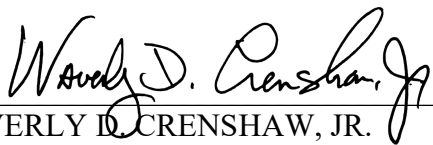
On February 26, 2025, the Magistrate Judge issued a Report and Recommendation (“R&R”) (Doc. No. 62) recommending that the Court grant Plaintiffs Kerry Hodge, Jessica Cannon, Jolanda King, Don McGee, and Michael Epperson’s Motion for Attorneys’ Fees, Costs, and Service Awards (Doc. No. 60), and award them a total of \$220,000.00 to be paid separate and apart from the settlement benefit fund. Defendant AHS Management Company, Inc. (“AHS”), proceeding through counsel, did not file a response to Plaintiffs’ Motion. Nor did AHS file any timely objections to the R&R, despite the R&R’s specific warnings regarding waiver. (See Doc. No. 62 at 5).

Having thoroughly reviewed the R&R, as well as Plaintiffs’ Motion, Memorandum of Law, and attached exhibits, the Court agrees with the Magistrate Judge’s recommended disposition in part. The Court agrees with the Magistrate Judge that an award of \$220,000.00 to Class Counsel reflects a reasonable percentage of the settlement fund, as well as a reasonable amount for the costs incurred and services rendered in this consolidated class action. See Rawlings v. Prudential-Bache Props., Inc., 9 F.3d 513, 516 (6th Cir. 1993) (noting that the Sixth Circuit “require[s] only that awards of attorney’s fees by federal courts in common fund cases be reasonable under the

circumstances”). However, the Court finds that the total combined award should be \$10,000.00 higher because it appears the R&R inadvertently failed to include Plaintiffs’ additional request for a \$10,000.00 Service Award (or \$2,000.00 for each of the five named Plaintiffs). (See Doc. No. 62 at 5 (noting that the Magistrate Judge “recommends that the Plaintiffs’ request for service awards be approved”); see also Doc. No. 60-1 at 2–3, 16 (requesting “an award of attorneys’ fees and reasonable litigation expenses of \$220,000,” *and* an additional “service award to each of the five Plaintiffs” of “\$2,000 each”).

Accordingly, the R&R (Doc. No. 62) is **APPROVED AND ADOPTED IN PART**, and Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Service Awards (Doc. No. 60) is **GRANTED**. The Court awards Class Counsel an award of \$220,000.00 for attorneys’ fees and reasonable litigation expenses, and it awards the five named Plaintiffs an additional service award of \$2,000.00 each. These awards shall be paid separate and apart from the settlement fund.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
UNITED STATES DISTRICT JUDGE